

United States District Court

WESTERN DISTRICT OF WASHINGTON

PERCY LEVY

JUDGMENT IN A CIVIL CASE

v.

WASHINGTON STATE DEPARTMENT
OF CORRECTIONS et al,

CASE NUMBER: C08-5694RJB-KLS

 Jury Verdict. This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

X **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

1. The Court **ADOPTS** the Report and Recommendation;
2. Defendants' Motion to Dismiss for Failure to Exhaust Administrative Remedies is **GRANTED** in so far as follows;
 - (a) The federal claims contained in plaintiff's complaint are hereby **DISMISSED** without prejudice; and
 - (b) The Court **DECLINES** to exercise supplemental jurisdiction over the plaintiff's state law claims; and
 - (c) The remaining state claims contained in the complaint are hereby **REMANDED** to Superior Court for Thurston County.

May 5, 2009

BRUCE RIFKIN
Clerk

Jennie L. Patton
Deputy Clerk